Research and Statistics Division

JustResearch

2003 – Issue No. 9

www.canada.justice.gc.ca/en/ps/rs

Welcome

Identifying and reviewing timely, relevant studies from the academic literature is fundamental to connecting the policy process to research. The Research and Statistics Division continues to focus its attention on articles that are pertinent to the short- and long-term policy work and corporate objectives of the Department of Justice Canada. In this issue, we review research on such issues as mental disorder and the potential for violence, the phenomenon of group crime in Canada, victim cooperation in prosecuting domestic violence, and transferring youth to adult court.

We are also pleased to profile three unique in-house research projects that have recently been completed by the Division. Valerie Howe's work on the use of alternatives to litigation provides a framework for understanding the complex issues involved in instrument choice. Professor Tom Gabor, from the University of Ottawa, collaborated with Kwing Hung, Steven Mihorean, and Catherine St-Onge of the Division to highlight significant discrepancies in police-based versus medical-based homicide data. Finally, drawing from his presentation at the recent international Conference on Policing and Security in Montreal, Trevor Sanders documents an increasing trend towards the use of private security in Canada. ▲

Contents

Upcoming Conferences	2
Connexions	2
Reviews	3
Mental Disorder and Violence	3
Costs and Benefits to Services for Juvenile Offenders	5
Assessing Victim Cooperation in one Specialized Domestic Violence Court	7
Addressing Youth Prostitution Policy	8
Youth Transfers to Adult Court	9
Group Crime in Canada	10
Research in Profile	12
Experiences with the Development and Use of Alternatives to Litigation in Support of Regulation	12
Canadian Homicide Rates: A Comparison of Two Data Sources	15
Rise of the Rent a Cop: Private Security in Canada 1991-2001	19
Current & Upcoming Research	22
From the Research and Statistics Division	22
From Around Government	28

Department of Justice Canada | Ministère de la Justice Canada

Canada

2008-05643/

Contributors

JustResearch Team

Allison Millar
Nathalie Quann
Trevor Sanders
Cheryl Yan

Publications Officer

Charlotte Mercier

Editor

Jeff Latimer

Advisory Panel

Stan Lipinski
Roberta Russell
Reva Derrick

Feedback

We invite your comments and suggestions for future issues of JustResearch. We welcome your ideas for articles, themes, topics or issues to examine from the literature and are happy to include information on any relevant and interesting research work undertaken in other departments. We may be contacted at rsd.drs@justice.gc.ca

Upcoming Conferences

Best Practices in Restorative Justice. The 6th International Conference on Restorative Justice. June 1-4, 2003. Vancouver, British Columbia. The conference featured six plenary sessions which included public/private partnerships in restorative justice programming, youth justice and the new Canadian *Youth Criminal Justice Act*, restorative justice in public schools, Aboriginal justice, victims' perspectives and trauma recovery, evaluation of restorative justice processes and practices. For more information: http://www.sfu.ca/conferences/restorativejustice/overview.htm

The 8th International Family Violence Research Conference. July 13-16, 2003. Portsmouth, New Hampshire. Topics of discussion include child maltreatment, partner violence, elder abuse, and sexual assault. For more information: http://www.unh.edu/frl/conference2003/index.html

Annual Conference on Criminal Justice Research and Evaluation. Enhancing Policy and Practice. July 28-30, 2003. Washington, DC. The focus of this conference is to review what works in the criminal justice field as well as to learn effective methods for conducting criminal justice research and evaluations. For more information: http://www.nijpcs.org/RE/RE2003/index.htm

The 4th International Conference on Conferencing, Circles and other Restorative Practices. Building a Global Alliance for Restorative Practices and Family Empowerment. August 28-30, 2003. Veldhoven, Netherlands. This conference aims to promote a commitment to restorative practices and family empowerment by allowing participants to make presentations in addition to the presentations made by special guests. For more information: http://www.restorativepractices.org/Pages/nl03advnot.html

The 29th Canadian Congress on Criminal Justice. November 5-8, 2003. Vancouver, British Columbia. The theme of this conference is Hope Beyond the Hurt: Drugs, Crime, and Canadian Society. For more information: www.ccja-acjp.ca

Connexions

The Criminology Research Institute

The Criminology Research Institute provides an international forum for professionals in the criminology field and publishes a journal, *The New Criminologist*. Based in the United Kingdom, the Institute offers statistics on crime and updates on criminal issues in Britain as well as from other parts of the world. http://www.thecriminologist.com/

Bureau of Justice Statistics, US Department of Justice
The US Department of Justice provides a website for the Bureau of Justice Statistics which analyzes, publishes and disseminates information on crime, criminal offenders, victims of crime, and the operation of justice systems at all government levels.
http://www.ojp.usdoj.gov/bjs/

International Institute for Restorative Practices
The International Institute for Restorative Practices (IIRP) is a non-profit organization which provides education and research in support of the development of restorative practices. The website provides information on best practices and other issues in the restorative justice field.
http://www.restorativepractices.org/index.html

Canada Law Book
The website for the Canada Law Book provides up-to-date material from leading experts in the legal profession and offers access to numerous legal publications including the Canadian Lawyer magazine. http://www.canadalawbook.ca/

United Nations Interregional Crime and Justice Research Institute
The United Nations Interregional Crime and Justice Research Institute (UNICRI) was established in 1968 to strengthen the United Nations resources to control and prevent juvenile delinquency and adult criminality. The website provides links to various crime-related journals, publications, news and current projects. http://www.unicri.it/index.htm

REVIEWS

MENTAL DISORDER AND VIOLENCE

Swanson, J. W., Swartz, M. S., Essock, S. M., Osher, F. C., Wagner, H. R., Goodman, L. A., Rosenberg, S. D., and Meador, K. G. (2002). **The social-environmental context of violent behaviour in persons treated for severe mental illness**. *American Journal of Public Health*, 92, 1523-1531.

Reviewer: Dan Antonowicz, A/Senior Research Officer

The authors of the present study indicate that while the risk of violence is somewhat elevated in individuals with severe mental illness (SMI), most of these individuals do not engage in violent behaviour. However, it is also suggested in the article that there may be a significant increase in the likelihood of violent behaviour if psychopathology converges with other risk factors.

There is some evidence that a large proportion of individuals in treatment for mental health problems have at some time been a victim of violent physical or sexual abuse. According to the authors, the long-term effects of victimization may be compounded by risk factors such as substance abuse, homelessness, adverse social environments, and treatment non-compliance. Taken together, the risk of violence may be noticeably

increased in specific subgroups of persons with SMI. However, it is unclear to what extent each of these risk factors contributes to violent behaviour by individuals with mental illness either independently or together.

In order to examine this question, a multivariate analysis of pooled samples of treated individuals with SMI in four US states (N=802) was conducted. Participants were male and female adults with psychotic or major mood disorders receiving inpatient or outpatient services in the public mental health systems of Connecticut, Maryland, New Hampshire, or North Carolina. Each of the five samples was weighted to match distributions of age and the prevalence of substance abuse derived from the National Institute on Mental Health (NIMH) National Comorbidity Study.[1] Data for the present study was collected on violent behaviour, victimization, demographic and social-environmental variables, and clinical/institutional variables.

Violent behaviour in the previous year was defined as "any physical fighting or assaultive actions causing bodily injury to another person, any use of a lethal weapon to harm or threaten someone, or any sexual assault during that time period." In terms of victimization, participants were asked questions about experiences of physical or sexual abuse occurring before and after age 16. Demographic and social-environmental variables included age, sex, race, marital status, income, and homelessness in the past year. Clinical/institutional variables included psychiatric diagnosis, substance abuse, and psychiatric admissions.

Logistic regression was conducted to examine the effects of victimization, demographic/social environmental variables, and clinical/institutional variables on risk of violent behaviour. The interaction effect of sexual abuse with physical abuse history on later violence was examined using the odds ratio (i.e., the average change in the odds of a predicted event) for sexual abuse alone, physical abuse alone, and the combination of the two. The same approach was used to test the interaction of early-life (before age 16) and later-life (after age 16) victimization on violent behaviour.

This study found that the one-year prevalence of violence was 13%. Furthermore, violence was found independently associated with history of violent victimization, homelessness, cohabitation, exposure to community violence, substance abuse, and history of psychiatric admission. However, no single factor emerged as the primary predictor of violence. The effects of victimization on violence were found to be highly significant if subjects had experienced repeated physical abuse throughout their lives. Individuals who had been victimized only during early life, but not after age 16, were no more likely to commit violent acts than were persons who had never been victimized. However, the risk of violence was several times higher in those who were victimized both before and after age 16, compared with individuals victimized during only one of these time periods. Thus, in the current study repeated abuse has a cumulative association with violence.

Substance abuse and exposure to community violence were also each found to be strongly associated with violent behaviour. Subjects with none or only one of these factors had predicted probabilities of violence of 2% or below. However, adding a second risk factor doubled the probability of violence, and respondents with all three risk factors combined were by far the most likely to commit violent acts (predicted probability of 30%). These analyses support the view that violence by individuals with SMI may be the result of multiple variables with compounded effects over the lifespan. No association was found in the current study between gender and violence.

The results of the present study must be considered in light of a number of limitations. The overall effect of mental disorder cannot be exam-

[1] The National Institute on Mental Health National Comorbidity Study provides a nationally representative probability sample of subjects with psychotic or major mood disorders who reported being hospitalized, using speciality mental health services within the past six months, or both.

ined since treatment for SMI was a requirement for study participation, and no comparison group without treatment for mental illness was included. Given that the data were gathered in a cross-sectional survey, causal ordering cannot be established. Furthermore, the survey relied solely on self-reporting to obtain information about engaging in violent behaviour which may have served to underestimate the rates of violence. A final limitation is that variations in mental health treatment receipt, type or intensity were not examined. Thus, it is difficult to conclude whether mental health interventions might lower the risk of violence in these participants.

In conclusion, individuals with SMI and with combined risk factors in several domains–past traumatic experiences, current clinical problems including substance abuse and continuing exposure to adverse social environments characterized by persistent violence–represent an increased risk for violence. Given the wide range of contributing risk factors found in the present study, the authors suggest that interventions designed to reduce the risk of violence among individuals with SMI will need to target specific subgroups with different clusters of risk factors related to violence. In order to help further inform intervention efforts, more research will need to be undertaken to determine why violent behaviour occurs in individuals with mental illness who have certain characteristics and experiences.

In terms of the Department of Justice of Canada, there was a parliamentary review of the mental disorder provisions of the *Criminal Code* in 2002. In order to help inform the review, a report was prepared that included data on the number of individuals found "unfit to stand trial" and "not criminally responsible" across Canada. One of the concerns that have been raised by the public is the belief that the majority of mentally disordered accused commit violent offences. The issue should be examined in Canada in order to determine the prevalence of violence among mentally disordered accused. ▲

COSTS AND BENEFITS TO SERVICES FOR JUVENILE OFFENDERS

Robertson, A. A., Grimes, P.W., and Rogers, K. E. (2001). **A short-run cost-benefit analysis of community-based interventions for juvenile offenders**. *Crime and Delinquency*, 47, 2, 265-284.

Reviewer: Kelly Morton, Research Officer

The purpose of this study was to determine if two alternatives to regular probation (RP) were cost-beneficial in the short-run when compared to regular probation, specifically with regard to youth who use drugs and alcohol. The two alternatives were Intensive Supervision and Monitoring (ISM) and a Cognitive Behavioural Treatment (CB) program. The ISM program was similar to regular probation; however, the youth service counsellors had more frequent contact with the youth and their families, schools, or employers. In the CB program, the youth were also subject to the regular requirements of probation, with the added component of 60 hours of cognitive skills training, 24 hours of group therapy for the youth, and 24 hours of group therapy for the parents or guardians. All conditions lasted approximately 6 months, and all youth were subject to random drug testing. Additionally, the youth completed a variety of questionnaires concerning behaviour and substance use prior to and following service delivery (immediately, 6 and 12 months post-treatment). A total of 153 youth completed the program to which they were assigned. The design of the study was quasi-experimental in that assignment to a program was based on where the youth resided. Essentially, they were assigned

to programs within their own communities. Program referrals were made by the courts for criminal or status offences.

For the purposes of this study, benefits were defined as the expected reduction in expenses to the criminal justice system (i.e., subsequent referrals and court-ordered days of detention) due to the specific service. Costs were defined as the additional spending required to support and maintain the programs. Using multiple regression models, the authors evaluated characteristics that increased a young offender's likelihood of completing a program, as well as those characteristics that influenced the expenses to the criminal justice system during an 18-month time period (including the 6 months in the program). Those characteristics that were found to make a young offender more likely to complete the program were being female, being in a stable home with a strong degree of parental oversight, and being in school. Additionally, having prior criminal justice system referrals and displaying behavioural responses to psychological distress made a youth more likely to drop out of the program. It is interesting to note that when the offender characteristics were held constant, the more time the youth spent with a counsellor the more likely the youth was to complete the program. However, when contact time was also held constant and the interventions were examined, those who participated in the CB condition (the condition with the most contact) were more likely to drop out.

The factors that increased the likelihood of spending by the criminal justice system (in terms of further referrals or days in detention) were being young, being male, being a minority, being impulsive, not enrolled in school, having committed a criminal rather than status offence, having prior criminal justice referrals, regular use of hard drugs, and being involved in gang activity. Additionally, when compared to RP the CB condition was found to be more effective at reducing short-term costs to the criminal justice system, whereas there was no difference found between the RP and ISM condition. After controlling for offender characteristics, the CB condition was found to reduce criminal justice expenditures by approximately $2,928 per participant over 18 months. After taking into account outside funding, the cost of running the CB program over 18 months was approximately $1,493 per participant. Therefore, there was an approximate saving of $1,435 per participant.

There are several limitations to this study. Most importantly, the risk levels of the youth were not evaluated or taken into account. Research has shown that high-risk youth should receive intensive levels of treatment/supervision, whereas low risk youth should receive minimal levels of treatment/supervision (Andrews and Bonta, 1998). This study evaluated young offenders who had committed both status and criminal offences. Since the type of program the youth was referred to was dependent on where the youth resided, high risk youth may have been referred to low levels of supervision and low risk youth may have been referred to intensive treatment. This fact may account for the high drop-out rate evidenced in the CB condition. Other limitations include the fact that the evaluation was conducted in three different counties, and thus there may be extraneous variables at work that are accounting for the variability. Additionally, although the results suggest that the CB condition is cost beneficial in the short term, there is no evidence that these benefits continue in the long term. It is possible that with a longer follow-up time period, the cost beneficial effects of the CB program may diminish or disappear.

Given these limitations, however, in the short term, the CB condition demonstrates effectiveness in reducing the number of youth who are subsequently referred to or detained by the criminal justice system. When one evaluates this in monetary terms, there are considerable savings for taxpayers and the government in referring youth to cognitive behavioural treatment programs. Previous research into treatment effectiveness has also demonstrated that cognitive-behavioural approaches are the most effective form of treatment for reducing recidivism (Andrews *et al*, 1990).

The Research and Statistics Division is currently conducting a meta-analytic examination of the young offender treatment literature to deter-

mine best practices in reducing recidivism. Data from approximately 200 individual studies have been aggregated in order to determine best practices in the rehabilitation of youth in conflict with the law. Preliminary results indicate that treatment programs which include cognitive skills training, involve both group and family counselling, and limit exposure to six months, which is consistent with the Cognitive Behaviour Program in this study, provide encouraging results. ▲

References

Andrews, D. A. and Bonta, J. (1998). *Psychology of Criminal Conduct*. Cincinnati, OH: Anderson Publishing Co.

Andrews, D.A., Zinger, I., Hoge, R., Bonta, J., Gendreau, P. and Cullen, F. (1990). "Does correctional treatment work? A Clinically Relevant and Psychologically Informed Meta-Analysis." *Criminology*, 28, 369-404.

ASSESSING VICTIM COOPERATION IN ONE SPECIALIZED DOMESTIC VIOLENCE COURT

Dawson M., and Dinovitzer, R. (2001). **Victim cooperation and the prosecution of domestic violence in a specialized court**. *Justice Quarterly*, 18, 3, 593-622.

Reviewer: Alessandra Iozzo, Research Officer

Despite much research, legislation, and a growing public awareness, domestic violence continues to persist in Canada. Past analysis has shown that women continue to suffer significantly higher rates of physical violence. Domestic violence cases are often not prosecuted as social and legal hurdles persist in carrying the charge through to trial. The widely held belief, as identified by prosecutors and challenged by few, is that cases are often dropped because the victim becomes unwilling to cooperate with members of the criminal justice system. Prosecutors argue that if the victim suddenly changes her mind, recants, or refuses to testify, they are left without sufficient evidence to sustain a case. Dawson and Dinovitzer challenge this view through a multivariate analysis of 474 case records derived from a specialized domestic violence court in Toronto.

Designed to meet the needs of the mandatory arrest program for domestic violence calls, new measures are being taken by the police to ensure ample evidence exists in the event of a victim's unwillingness to cooperate. For example, after the charge has been laid, police officers ask the victim for a videotaped statement (the victim's permission is needed). The authors argue that in a court designed to meet the specific challenge and unpredictability of domestic violence cases, a victim's willingness to cooperate should have little effect on the prosecution of the case. Secondly, the authors seek to identify who among victims are the most likely to cooperate with members of the criminal justice system.

Data for the study was drawn from a specialized domestic violence court in Toronto, which commenced hearing cases in mid-January 1997. Corresponding case records obtained from the Victim/Witness Assistance Program (VWAP) supplemented the data. The study began on April 1, 1997, and continued until March 31, 1998. Cases were tracked from the initial charge to the final disposition. Cases in which the prosecutor withdrew the charges were also included, and the authors made note of the reasons why the charges were withdrawn. The sample revealed that 91 percent of victims were female, while 93 percent of defendants were male.

This study finds that victim cooperation continues to be a strong predictor of prosecution, despite the measures taken by the specialized court. That is to say, the more willing the victim is to cooperate, the more likely her case will be prosecuted. Dawson and Dinovitzer encourage the increased use of videotaped statements to further improve the prosecutor-victim relationship. The authors conclude that "cooperative victims tend to cooperate" (Dawson and Dinovitzer, 2001).

For the Department of Justice Canada, one of the most interesting research findings is the success of the Victim/Witness Assistance Program. The authors found that victims were more likely to cooperate with the overall process if they had met with victim/witness workers. Many of the victims reported feeling intimidated by the police and prosecutors but felt much more at ease with members of the program. Continued work with victims may allow them to participate more actively in the criminal justice process and, in turn, produce better results.

The authors acknowledge that the results of this study are difficult to generalize since they were collected in the first year of operation of a specialized domestic violence court. A follow-up study revealing similar results would strengthen the findings here. It would be interesting to see what future research will reveal, especially if the study were expanded to include regional, language, and cultural factors. Similarly, a deeper gender analysis would also enrich the current research. The authors further note that they made use of victim assistance records and procured interviews with some victims. However, due to time and practicability constraints, only 60 interviews were held and were not directly used in this study. Again, a follow-up study would be beneficial in examining the problem from the victims' perspective. Dawson and Dinovitzer have certainly succeeded in engaging both policy makers and academics in a fresh debate over the role victims play in the prosecution of domestic violence cases. ▲

ADDRESSING YOUTH PROSTITUTION POLICY

Bittle, S. (July 2002). **When protection is punishment: Neo-liberalism and secure care approaches to youth prostitution.** *Canadian Journal of Criminology*, 317-350.

Reviewer: Alessandra Iozzo, Research Officer

Youth prostitution is a growing concern among policy makers, social activists, and youth workers. Recent trends in government policy view the young prostitute not as an offender but as a victim of sexual abuse. This article addresses the implications of secure care programs on young prostitutes and assesses the neo-liberal political reasoning behind such programs. These programs, such as the Alberta model in place since February 1998, grant child care workers and police the authority to detain for up to 72 hours a young person they believe to be in danger. The underlying philosophy is a "best interests of the child" policy, but curtailing one's liberty is rarely in one's best interest according to Bittle. Secure care programs are portrayed as decisive efforts undertaken by a provincial government to combat youth prostitution. However, a tension emerges between theory and practice when the young person is indirectly held responsible for the problem. Bittle argues that these programs actually put the onus, and consequently the blame, on the individual, the community, and the family to invoke change. These neo-liberal responses fail to challenge the power issues involved.

This article attempts to examine the following in reference to youth prostitution and secure care programs. Firstly, this article seeks to examine the impact of neo-liberal political reasoning on strategies to control crime and deviance and,

secondly, to examine the sexual abuse discourse regarding youth prostitution and its impact on secure care strategies. Finally, this article attempts to reveal how sexual abuse discourse coupled with secure care strategies reinforce unbalanced power relations.

Although the language is theoretically dense at times, the analysis is provocative. Bittle persistently and convincingly argues that, beneath the surface, secure care programs reinforce complex power relations leaving the conditions that facilitate youth prostitution unchallenged. By limiting individual freedom, the state is exerting control. In the case of secure care programs, the state seeks to both control and protect. The sexual abuse discourse currently used to characterize youth involvement in prostitution serves to further compound the problem as it reinforces the victim-as-offender ideology.

A limitation of this study is that, after an impressive examination of existing literature, his recommendation section is rather sparse. Closer examinations of the recommendations in addressing youth prostitution would have been helpful. In total, Bittle identifies three strategies for dealing with youth prostitution. Firstly, young people need to be given a voice in the process. That is, how do young people feel about the process, how do they assess the "help" they receive, and how would they improve upon it? Secondly, a stronger partnership between government and private agencies must be established. Finally, critical perspectives and alternatives need to be explored in the hopes of addressing the power imbalances entrenched in the current legislation such as the Alberta's *Protection of Children Involved in Prostitution Act.*

Bittle's analysis relates to current policy initiatives and issues such as youth justice, family violence, and victim research. Bittle's work demonstrates, that the youth prostitution "crisis" is far from over. A strong lead is needed in addressing not only the effect of youth prostitution but also the power imbalances and current policies that allow those exploiting youth and profiting from prostitution to continue unchallenged. ▲

YOUTH TRANSFERS TO ADULT COURT

Schindler, M. and Arditti, J.A. (2001). **The Increased prosecution of adolescents in the adult criminal justice system: Impacts on youth, family and community**. *Marriage and Family Review*, 32, 3-4, 165-137.

Reviewer: Jill Edgar, Research Officer

"Adult time for adult crime!" is the catchy slogan used by advocates of the get-tough approach in response to the perceived "epidemic" of violent youth crime. An outcome of this get-tough ideology is that an increasing number of American youth are being transferred to adult court and serving their sentences in adult institutions. The transfer of youth to the adult criminal justice system is ostensibly done to protect the public; however, the scant amount of empirical research conducted in this area indicates that this practice is actually placing the public at greater risk (Bishop, Frazier, Lanza-Kaduce & Winner, 1996). Schindler and Arditti critically review the impacts the proliferation of transfer policies in the United States has had on youth, their families, and their communities and add the voice of experience to this small body of literature with a narrative account of a youth transferred to adult court. The authors discuss the high rates of suicides and sexual assaults among youth who are transferred to the adult criminal justice system. Much of the discussion on the impacts of youth transfers to adult court on the family is drawn from research on adult offenders, highlighting the necessity for research in this area. Given the over-representation of minorities in the American

juvenile and adult criminal justice systems, it is minority communities that suffer the consequences of youth transfers to adult court. For example, the authors state that transferred youth are more likely to recidivate earlier and commit a more serious offence than adolescents who are processed in the juvenile system. The article concludes with "Gene's" story to illustrate the consequences transfer policies have had on this youth, his family, and his community.

The authors rely heavily on descriptive accounts to demonstrate the implications of transfer policies – most likely because of the dearth of empirical data on this subject. They proceed to make recommendations based upon the sole narrative account they provide, trusting the reader to assume that this experience is typical for all transferred youth. Furthermore, the authors fail to recommend that more empirical research be conducted in this area given their predictions that transfer rates will continue to rise.

Despite the fact that the American situation varies considerably from Canada's in terms of its criminal justice philosophy, the consequences of the transfer policies in the United States–the high rates of suicide and sexual assault, increased recidivism, and fragmented families–should be viewed by Canada as an opportunity to better research transfers. Under the *Youth Criminal Justice Act,* the age a youth can receive an adult sentence is fourteen years. The previous transfer provisions of the *Young Offenders Act,* however, have been eliminated in favour of trying all youth in youth court and, once guilt has been determined, electing for an adult or youth sentence. There exists a virtual absence of information in Canada, however, on previous youth transfers to adult court. For instance, little is known of the types of sentences youth received when tried as an adult and the reality of their experiences in prison (e.g., what programs were taken, time spent in protective custody, suicide attempts. The Research and Statistics Division is attempting to address this knowledge gap by collecting data on youth in Canada who were transferred to adult court during the last five years in order to better describe and understand what happened to them as they proceeded through the adult criminal justice system. ▲

References

Bishop, D., Frazier, C., Lanza-Kaduce, L., and Winner, L. (1996). "The transfer of juveniles to criminal court: Does it make a difference?" *Crime and Delinquency*, 42, 171-191.

GROUP CRIME IN CANADA

Carrington, P.J. (July 2002). **Group crime in Canada**. *Canadian Journal of Criminology*, 277-315.

Reviewer: Fernando Mata, Senior Research Officer

Using information from the revised Unified Crime Reporting survey (UCR-2) covering the 1992-1999 time period, Professor Carrington focuses his attention on the dynamics of group crime in Canada. Using Reiss (1988) and others as theoretical guides, he distinguishes crime committed by lone offenders and co-offenders, the latter group consisting of two or more offenders. He also differentiates group crimes such as youth crime from those where criminal activities are of a more organised nature. Looking at 2.9 million crime incidents reported by police forces, Carrington finds that group crime is not a common occurrence among young offenders or among young adults. Only 44% of the former group and 25% of the latter offended with identified accomplices. Despite its salience in the mass media, youth crime committed in groups of three or more constituted only 1% of all recorded incidents. Thus, the data contradicted other official sources and analyses done on group crime around the world. The author responds to this discrepancy by arguing that the UCR-2

undercounts group crime due to the fact that police officers may be more stringent in the inclusion of "chargeable" offenders. In addition, UCR-2 comprises a wide variety of offences rather than the limited offences collected by other official sources.

In the second part of the paper, Carrington turns his attention towards the age and gender patterns in co-offending. Group crime peaks at 71% at the age of eight and plunges to 23% when individuals reach the age of 20. Pair offending is found somewhat more common among females than males, and offending in groups of three or more is slightly more common among males than females. Group crime is also more prevalent in serious types of violent crimes such as homicide and attempted murder as well as in property crimes such as break and enter, arson, and robbery.

Looking at each individual offence, Carrington finds that the great majority of crimes involved a lone offender. This pattern is observed among children, young adult, and adult populations. He finds discrepancies with the findings of the 1999 General Social Survey on Victimization, where at least for robberies, co-offending was estimated in 49% of incidents (in contrast with only 28% found in the UCR-2). Neither American nor European research seem to corroborate these findings. Professor Carrington questions the veracity of victims' reporting in self-reporting surveys. Philosophically, he asks: who is right about the prevalence of group crime – the victim or the police? (Carrington, 2002) He suggests that the answer may depend on what we are asking: plain "involvement" or "legal" implication in an offence. Exploring this question requires further analysis.

In the final part of the article, the author ponders theoretical explanations for group crime. Functional and developmental theories are highlighted. To attempt to find support for any of these explanations, co-offending is examined in detail by type of offence and age of offender. He concludes that developmental theory, simply an association with certain peers over the life cycle, is supported over the functional theory of group crime. As he does in previous sections, Carrington ends the article by raising questions about the data quality of UCR-2, the inability of the police to identify all those involved in crimes, and the impossibility of distinguishing incidence from prevalence of co-offending with the data at hand.

In spite of frequent lamentations about UCR-2 and about why the data is not in agreement with other official sources, Professor Carrington does a good job at discovering some important patterns regarding group crime in Canada (e.g., higher among children and teenaged offenders, decline of importance after age 20, and the possible presence of developmental related factors in this process). The reader is left with the impression that group crime is a very difficult phenomenon to study in Canada, or anywhere for that matter. Administrative data usually provides only rough information about the number of individuals involved in a crime incident as recorded by police officers. Self-reporting surveys, where the victim is supposed to have a better recollection of the number of offenders involved in a crime incident, are not exempt from systematic errors such as recall biases and social desirability influences. Professor Carrington's recipe for unveiling the mysteries of group crime in Canada is to triangulate these data sources and study individual crime careers in a longitudinal fashion. This is definitely good advice.

In terms of the policy value of the article, it is clear that the kind of social networks established at different points of the life cycle may play an important role in explaining group crime in Canada. Effective rehabilitation approaches should include interventions related to these types of variables, particularly when dealing with young recidivist offenders. Given certain psychological traits, many would more likely be predisposed to commit crime in the company of others rather than alone. ▲

Reference:

Reiss, A.J. (1988). "Co-offending and Criminal Careers." In M. Tonry and N. Morris (Eds.), *Crime and Justice: Annual Review of Research*, Vol. 10, Chicago: Chicago University Press.

RESEARCH IN PROFILE

EXPERIENCES WITH THE DEVELOPMENT AND USE OF ALTERNATIVES TO LITIGATION IN SUPPORT OF REGULATION

By Valerie Howe, Senior Research Officer,
Research and Statistics Division, Department of Justice Canada

One of the core functions of the Department of Justice Canada, is to provide high-quality legal services and counsel to the government and to client departments and agencies. The Department of Justice Canada establishes Legal Services Units (LSUs) located on site within regulating departments or agencies to provide continuous legal advice. The Federal Prosecution Service (FPS) is responsible for the conduct of all regulatory prosecutions on behalf of the Government of Canada. Recently, FPS set itself the goal of better understanding and promoting the use of alternatives to prosecution for both criminal and regulatory law. The study discussed here examined the use of alternative instruments in regulation. Regulations are used to prevent future harm by setting standards in non-criminal law areas.

Methodology

The Research and Statistics Division (RSD) of the Department of Justice Canada interviewed those engaged in drafting and ensuring compliance with regulations to better understand best practices. In-depth, in-person interviews were conducted with Justice legal counsel at Departmental Legal Services Units and with enforcement officers and other key players from the regulating departments. The interviews focused on the alternatives being used, the process for deciding how to achieve compliance, the information and resource factors involved, and lessons learned. Additional background information came from the Justice Conference on Alternatives to Prosecution, several meetings with the Federal Prosecution Service Renewal Group, earlier reading and study in the field, and materials provided by those interviewed.

Results

The Department of Justice Canada acted in over 5,000 regulatory prosecutions in 2000-2001, most deriving from Canada Customs and Revenue Agency (CCRA), Fisheries and Oceans, and Citizenship and Immigration Canada. Overwhelmingly, departments and Justice legal advisors are very actively engaged in developing and exploring the use of alternatives to prosecution and strive to use prosecution cautiously and strategically.

Of the departments for which the FPS conducts prosecutions, approximately half have "stand alone" enforcement and compliance policies, while the rest use more informal enforcement protocols. Those with formal compliance and/or enforcement policies include Industry Canada, Environment Canada, Health Canada, the Canadian Food Inspection Agency, Human Resources Development Canada, Natural Resources Canada, and Transport Canada. Some, such as that of Industry Canada's Competition Bureau and Environment Canada's Canadian Environmental Protection legislation, are very detailed as to compliance options, while others include only a few enforcement methods.

Departments increasingly use various preventative approaches to promote compliance. These include: consultations with stakeholders, communicating and information sharing, working with industry associations and supporting vol-

untary compliance, as well as monitoring. Common methods of enforcement are warnings, administrative monetary penalties, tickets, stop work or stop production (injunction-like orders) and prosecution. Some departments have developed enforcement methods particular to the specific activities they regulate. For example, Citizenship and Immigration Canada may order foreign nationals to leave the country; Environment Canada may detain ships used in environmental offences; Health Canada may request recalls on dangerous products; National Resources Canada may stop the importation of non-compliant products; and Industry Canada may seize non-compliant television satellite equipment.

Optimally, the options include a range or continuum from promoting or persuasive approaches, through mid-range instruments to more serious enforcement activities with penalties. Departments face serious challenges if they do not have a full spectrum of choices. For example, this is the case if regulations and policies only allow for a choice between soft, voluntary compliance options with warnings or directions and the serious measure of prosecution or cancellation of a licence to operate. Voluntary compliance may not be forthcoming and decisions to prosecute leading to successful prosecution and meaningful penalties were not common. Most departments and legal service units would very much like to have this full range of options. They see a particularly important role for easily administered, but persuasive, pressures such as monetary administrative penalties or injunction-like orders such as orders to comply, to stop work, or to recall or change offending products or practices. Departments tend to work systematically through whatever continuum of options (from softer to harder) at their disposal.

As an example, Health Canada's Product and Food Branch lists the following:

1. voluntary disposal of a non-compliant product;
2. detention of a non-compliant product;
3. recall of a non-compliant product;
4. negotiated compliance;
5. warning letters;
6. stop sale orders;
7. customs alert;
8. request to CCRA to refuse importation;
9. suspension or cancelling of marketing authorisation or product licence;
10. suspension or amendment of establishment licence;
11. formal hearing;
12. seizure and detention (including evidentiary);
13. prosecution;
14. injunction;
15. public warning; and,
16. public advisory/letters to associations (where distributor is difficult to reach).

For some regulated industries, publication of names–blaming and shaming–is gaining ground as an instrument. This, of course, is facilitated by information technologies and the ability to post publicly available information about court decisions or departmental decisions on departmental Website. Some departments are looking at "creative" penalties–penalties that would contribute to safety in a significant way. Such penalties could include fines that direct the funds to safety research or information, management strategies, monetary incentives for early compliance or registration. It is not always easy to interest courts in imposing such penalties.

The enforcing department is largely responsible for investigating and laying charges. In most cases, enforcement officers (whether they are CCRA auditors, immigration inspectors, park wardens) are the key decision-makers.

Five pillars for achieving compliance were identified:

1. the framework to put into place an appropriate spectrum of alternative methods to achieve compliance including legislative and regulatory authority, case law, and implementation;

2. adequacy of monitoring and of knowledge of regulatees and of the factors which lead to compliance or non-compliance;
3. adequacy of information about risks, trends, public concerns, industry structure and support, and political support, etc.;
4. resources to educate, research, monitor, persuade, and, where necessary, to enforce compliance, and then to conduct follow-ups as often as needed to ensure compliance; and,
5. relationships all along the chain of interaction from regulatees to the courts or ultimate enforcer; these in turn are shaped by the availability and flow of information, cultures, frequency of contact, inter-dependence, level of conflict or dispute, and availability of alternative dispute resolution approaches or separation strategies (rotating) where needed.

Challenges

A range of challenges in institutionalising various incentives to compliance were identified. The main challenges were:

1. inadequate legislative or regulatory authority to use a full range of instruments;
2. inadequate resources to assess what would work, to work with regulatees to educate, inform, persuade them to comply, and to investigate, audit, follow-up, and ensure compliance;
3. inadequate information about the regulatees, why some do not comply, the market and social factors which encourage non-compliance. While some may have that knowledge, it may not be shared among all of those who are involved in decision making about the use of alternatives in order to achieve compliance; and,
4. issues around the decentralization and fragmentation of decision making and the need for strong working relationships to be developed among all the players including:
   - those regulated;
   - reporters (public, business, auditors, other countries, etc., who may identify a problem);
   - field inspectors;
   - regional Justice prosecutors;
   - regional departmental managers, where they exist;
   - agents engaged to prosecute;
   - RCMP, provincial, and other police who may be involved;
   - LSU;
   - department managers at headquarters;
   - finance; and
   - FPS.

In some cases, the legislative or regulatory authority is a constraining factor. Some legislation is not up-to-date in allowing for a range of penalties, some is not clear enough, and some is too detailed with mandatory penalties or zero tolerance policies that constrain the use of alternatives. Regulations under several Acts have been challenged as not authorized under the legislation. Even where regulations have not been found *ultra vires*, there may exist a lack of clarity as to how the courts might interpret the adequacy of the legislative authority for newer alternatives. Issues with stop-work orders or similar orders include the possible effect on the local or national economy or workers, the possibility that a company can avoid the order by changing its name, and the fact that procedure rules mean the process is not quick or easy.

Conclusion

The interviews revealed the importance of understanding the utility and practicality of different instruments in context. Almost all the relevant factors (legislative and regulatory tools, the level of organization of the industry or population, the available opportunities and knowledge) vary from one area of regulation to another. For this reason, the effectiveness of different approaches to compliance also depends significantly on the

nature of the product or service being regulated (for example, whether it is a trans-Atlantic shipment, sale of a baby soother, or fishing). Regular monitoring is often not practicable. In areas where millions of producers, business owners, and student clerks handle a product, such as cigarettes, the incidence of sales or traffic which is non-compliant may be very difficult to monitor. Information management and tools such as surveys of businesses to identify the factors which correlate with risk of non-compliance can be very useful. Active industry or workers associations can play an important role in getting information out, where they exist. CCRA relies upon analysis of a database on normal finances for different businesses to identify the factors which correlate with a higher likelihood of non-compliance. While information is not generally considered a tool on the compliance continuum, it can be very useful in managing the process of achieving compliance and targeting resources. ▲

CANADIAN HOMICIDE RATES: A COMPARISON OF TWO DATA SOURCES [1]

By: Thomas Gabor, Professor, University of Ottawa
Kwing Hung, Statistical and Methodological Advisor,
Stephen Mihorean, Principal Statistician, and
Catherine St-Onge, Research Assistant,
Research and Statistics Division, Department of Justice Canada

Introduction

Historically, homicide has been the subject of considerable criminological research. It has also served as the leading indicator of crime and violence in a number of contexts. Cross-national comparisons often rely on homicide figures, as legislative and definitional differences often undermine the validity of comparisons involving other offences.

For example, sexual assault is defined more broadly in Canada than in countries that have retained "rape" statutes. Rape laws tend to be confined to acts involving attempted or actual sexual penetration; whereas, in the Canadian context, "sexual assault" includes such behaviours as non-consensual sexual touching (Comack, 2000). While definitions of homicide also vary to some degree across nations, there is likely to be a greater consensus, on the international level, about the nature and gravity of this offence than is the case with other offences.

Homicide also tends to be viewed as the best barometer of crime in analyses within countries, as this offence is more likely to be discovered and to be the subject of a serious investigation. In societies not beset by major upheaval, there is the intuitive belief that dead bodies are usually accounted for. Even the blue-ribbon panel on violence organized by the National Academy of Sciences in the United States glossed over potential reliability problems, writing that:

> While murders are counted rather accurately, counts of nonfatal violence are incomplete. Gaps and discrepancies occur because victimizations may not be recognized as crimes, because embarrassment or psychological stigma inhibits reporting, because victims are sometimes reluctant to involve authorities, because their consequences may not be thought worth reporting as crimes and because of discretion classifying and counting violent crimes (Reiss and Roth, 1993).

[1] This research paper has been reproduced and edited specifically for JustResearch, with permission from the authors.

Homicide figures are also viewed as quite accurate as this offence tends to be the subject of a more thorough police investigation. One indication of the priority given homicide investigations is the number of major police departments that have specialized units for the investigation of homicide.

The reliance on homicide as the most serious and the pre-eminent indicator of crime is also illustrated by the attention devoted to this crime by the news media. Studies of the print media have repeatedly shown that this offence receives coverage that is profoundly disproportionate to its volume (Gabor and Weimann, 1987).

Homicide is also more likely, than are other offences, to be the focus of special data collection efforts and reports by public agencies (e.g., Statistics Canada's Homicide Survey and numerous statistical reports on homicide, as well as the Supplemental Homicide Reports in the United States). It is also consistently one of a relatively small number of crimes used in national crime indexes.

The need for reliable measures of homicide is also underscored by the critical policy issues informed by research in this area. As one example, Bowers and Pierce (1975) have argued that conclusions drawn by Isaac Ehrlich (1975), in his seminal study on the deterrent effects of capital punishment, may have been unwarranted due to his reliance on the FBI's Uniform Crime Reports as the measure of homicide. Bowers and Pierce recommended the use of the National Center for Health Statistics' Vital Statistics as the more accurate homicide measure.

Given the profile, importance of and reliance upon homicide figures, there is both a vested interest and implicit belief in the validity of homicide data. Often overlooked, however, is that many countries collect two largely independent sets of statistics on homicide. One set is derived from police services, the other from death certificates (mortality data). Police-based statistics are likely to benefit from the criminal investigative experience of police departments. Mortality figures, on the other hand, are likely to benefit from coroners' investigations and medical opinions regarding the cause of deaths. Criminological studies of homicide have relied overwhelmingly on police statistics and have usually ignored mortality data. The possibility of a significant divergence of the two entails consideration of both sources.

In Canada, Statistics Canada is responsible for compiling both databases. With regard to the Homicide Survey, police departments across Canada provide detailed information each year to Statistics Canada on all homicides occurring within their jurisdiction. The second source, the Mortality Survey, covers all deaths occurring in Canada, as well as of Canadian residents occurring in the United States. The number and causes of deaths are obtained from death registration forms and forwarded to Statistics Canada by the central Vital Statistics Registry of each province and territory.

This research note intends to raise awareness about the existence of two distinct sources of homicide data, compares the homicide figures yielded by these two sources over the last three decades, and advances some preliminary reasons for the differences uncovered. The time frame covered by the analysis was 1970-1997, 1997 being the last year for which figures from the Mortality Survey were available at the time of this study. A significant divergence of the police-based Homicide Survey and the Mortality Database would call into question the reliability of one or, perhaps, both sources in accurately representing the level of homicide.

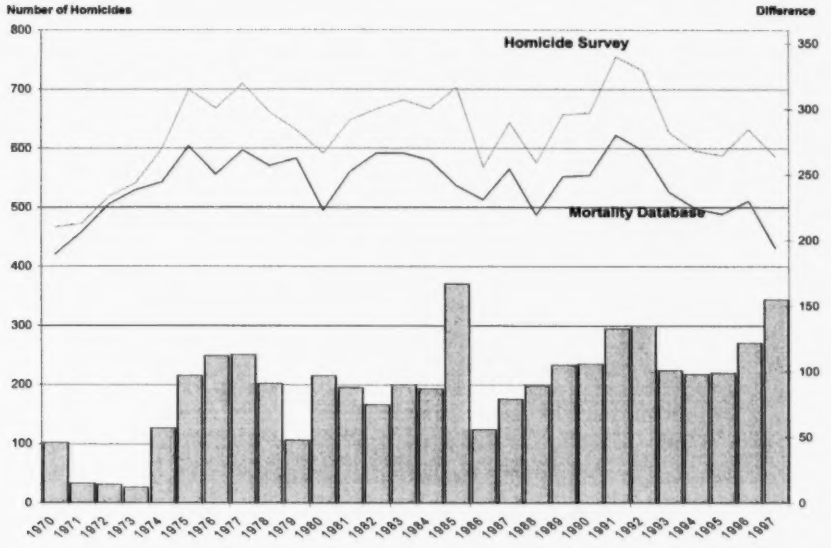
The only systematic comparisons conducted in Canada to this point involved case by case analyses by Hung (1987) for 1984 and 1985. Hung found that just 70 percent of "legitimate" homicides (i.e., events properly classified as homicides) were identified as such in both the Homicide Survey and Mortality Database.

Results

The line graphs in Figure 1 display the Canadian homicide counts yielded by both the Homicide Survey and the Mortality Database, while the bar graph illustrates the absolute difference between the two sources during the study period.

We can observe that the figures drawn from the Homicide Survey (HS) exceed those yielded by the Mortality Database (MD) every year from 1970 to 1997. Furthermore, the HS trend line shows stabilization in the figures following a growth period in the early 1970s, whereas the MD suggests a growth period in the early 1970s followed by a slight decline from the latter part of the 1970s on. The figure also indicates that the gap between the two databases has grown over time.

Figure 1: A comparison of homicide counts in Canada (1970-1997)



Sources: Statistics Canada: Causes of Death (Catalogue 84-208)
Statistics Canada: Homicide Survey.

The homicide figures are correlated strongly and positively across the two databases. The Pearson correlation coefficient is .85 when the absolute homicide figures are considered and .89 when the homicide rates are considered. This finding indicates that the trends revealed by the two databases are similar; however, it does not reflect the magnitude of the differences between the two sources of homicide data.

The results indicate that the HS yielded an average of 89 more homicides per year than the MD (627 as compared to 538), a 14.2% difference. The average annual homicide rate in Canada, according to the HS, is .34 (per 100,000) higher than that indicated by the MD.

In absolute terms, the HS revealed a range in the homicide counts during the study period that was considerably in excess of that shown by the MD. The databases differed by about 10% in terms of the bottom of that range–467 and 421 homicides yielded by the HS and MD, respectively, in 1970. The difference, however, was more substantial at the top of the range as HS showed a peak number of 755 homicides in 1991, while the MD showed a peak of just 622 homicides during the same year, a difference of 133 homicides or about 18%. When rates are considered, the HS showed a greater peak by .42 incidents per 100,000. Further investigation is required to explain why it is that the two databases had a similar minimum figure, but were so

dissimilar in terms of the peak years. Might it be that during these peak years there were more incidents of a certain type or in jurisdictions in which medical examiners were less likely to classify incidents as homicides?

Discussion

This study raises some concerns with regard to the reliable measurement of homicide. While the figures yielded by the two Canadian data sources–the Homicide Survey and Mortality Database–did not differ dramatically, the differences between them were sufficient to merit further investigation. Without exception, the police-based Homicide Survey consistently yielded higher homicide counts, with the differences averaging almost 15% during the study period. The differences were more pronounced during some of the peak years for homicide. In addition, these differences appear to be increasing over time.

The two databases not only yielded different volumes of homicide, they arrived at somewhat different conclusions regarding homicide trends. When the raw figures were consulted, the Homicide Survey suggested a stabilization and the Mortality Database a decline in homicide between 1977 and 1997.

Future research will need to determine the reasons for the discrepancies between the two databases. Are they an inevitable result of the reliance on two different sets of professionals–law enforcement versus health–or are they avoidable through more rigorous record-keeping practices?

Hung's (1987) study of case files indicated that the majority of discrepancies were due to differences of opinion between police and coroners regarding the cause of death. Data quality issues and different data collection procedures accounted for a smaller number of discrepancies.

The question also arises as to whether the differences between the databases are systematically related to the nature of the homicide (e.g., family versus acquaintance incidents) or the circumstances surrounding the incident. It is possible that the growing divergence of the two databases over time may be related, in part, to a decline in the proportion of homicides among family members. The motives and circumstances of these incidents are likely to be less ambiguous than those involving acquaintances.

American investigations have found that differences between the two data sources are attributable to a number of factors. While mortality statistics include civilian justifiable homicides, the Supplemental Homicide Reports exclude them (Wiersema, Loftin, and McDowall, 2000). Also, some American law enforcement agencies do not participate in the UCR program and, hence, the reporting of homicides to the FBI is incomplete. A third reason for the difference between the sources relates to the timing of the recording of an incident. Police agencies either record the date of the incident or the date of their discovery of it, while mortality statistics record the date of the victim's death. This discrepancy may result in the reporting, by police and health professionals, of the same incident in two different reporting periods.

The use of different research methods in the American and Canadian studies done to date prevents us from even speculating about the different situations prevailing in the two countries. A cross-border study, involving both a case file analysis and interviews with police and medical examiners, would appear necessary to sort out the cross-national and inter-source differences. The reliance placed by professionals, the media, and public on homicide figures as a key barometer of crime, as well as the use of these figures in a large body of criminological research, underscores the importance of such research. ▲

References

Bowers, W.J. and Pierce, G.L. (1975). "The Illusion of Deterrence of Isaach Ehrlich's Research on Capital Punishment." *Yale Law Journal*, 85, 187-208.

Comack, E. (2000). "Women and Crime." In R. Linden (Ed.), *Criminology: A Canadian perspective*. Fourth Edition. (pp.137-173).Toronto: Harcourt Canada,

Ehrlich, I. (1975). "The Deterrent Effect on Capital Punishment: A Question of Life and Death." *American Economic Review*, 65, 397-417.

Gabor, T. and Weimann, G. (1987). "La couverture du crime par la presse: Un portrait fidèle ou déformé?" (Coverage of crime by the press: an accurate or distorted portrayal?) *Criminologie*, 20, 79-98.

Hung, C.K. (1986). *Comparison of Homicidal Deaths in 1984 Reported in Two Statistics Canada Databases*. Ottawa: Ministry of the Solicitor General (unpublished).

Hung, C.K. (1987). *Comparison of Homicidal Deaths in 1985 Reported in Two Statistics Canada Databases*. Ottawa: Ministry of the Solicitor General (unpublished).

Reiss, A.J. and Roth J.A. (1993). *Understanding and Preventing Violence*. Washington, DC: National Academy Press.

Tremblay, S. (2000). "Crime Statistics in Canada, 1999." *Juristat*. Ottawa: Canadian Centre for Justice Statistics.

Wiersema, B., Loftin, C., and McDowall, D. (2000). "A Comparison of Supplementary Homicide Reports and National Vital Statistics System Homicide Estimates for US Counties." *Homicide Studies*, 4, 317-340.

RISE OF THE RENT A COP: PRIVATE SECURITY IN CANADA 1991-2001[1]

By Trevor Sanders, Research Analyst,
Research and Statistics Division, Department of Justice Canada

Introduction

The size of the security industry in Canada has been an unanswered question for a number of years. "Even rudimentary descriptive information on the number of establishments and the number of employees, or basic economic information on revenue and expenditures are difficult to find" (Law Commission of Canada, 2002). There is substantial anecdotal evidence to suggest that the private security industry in Canada has grown rapidly over the past few decades. However, as noted above, there is a lack of empirical evidence to support or document the extent of this growth. This profile will address the gap in available data by using a variety of data sources collected by Statistics Canada. It is important that a clear picture of the size and nature of the industry is developed to inform the policy decision-making process.

This profile presents an analysis of the security industry from 1991[2] to 2001. Data will profile the industry at the national and provincial levels. Included in the analysis are the number of employees and establishments, rates of pay, and estimated contribution to the Canadian economy.

This study aims to serve as a basis for future research into the composition and dynamics of the private security sector in Canada. The numbers produced will provide policy makers and observers with data to guide future decisions on regulation and other issues.

Data Sources

The primary data source for this analysis was the Survey of Employment, Payrolls and Hours (SEPH). Data in the SPEH survey is based on the North American Industry Classification System (NAICS) and will be used to define the private security field for the purpose of this paper. It provides a broader definition of private security than just security guards for hire. Included under the NAICS classification "Investigation and Security Services" are investigation services, security guard and patrol services, armoured car services, security systems

[1] Based on the paper presented at In Search of Security: An International Conference on Policing and Security, Montreal, Quebec, February 2003.
[2] The year 1991 was selected as the base year for the analysis as SEPH data has been historically corrected to produce a consistent time series from January 1991 to date.

services and locksmiths. All of the sub-industries included in the classification are in the business of providing physical security. Additional data sources include the Labour Force Survey (LFS) and custom tabulations prepared by the Industrial Organization and Finance Division (IOFD), Statistics Canada.

Employment Growth

Growth in employment in the security industry has followed a general upward trend during the study period. The employment numbers clearly reflect the effect of recession in the early 1990s with a year-over-year decrease in employment from 1991-1992. After 1992, there were several years of steady growth, with a slight dip in employment from 1995-1996 that could be attributed to an economic slowdown experienced during that time. After 1996, employment in the industry grew at a very strong pace. Double digit year over year increases were seen in 1999 and 2000. Growth in 2001 was slightly slower at approximately 7%. Overall, employment growth in the security industry between 1991 and 2001 was 69%. In 1991, SEPH reported 46,651 employees working in security and investigation services. By 2001, the number had reached 78,919.

Job Growth in Security Outpaced Economy as a Whole

The 69% growth in employment for investigation and security services was over four times the growth in employment for all Canadian industries during the same period. The industrial aggregate[3] grew by 15% between 1991 and 2001.

Further context is provided to the growth in the security industry when the numbers are compared with changes in the crime rate and number of public police. The 69% increase in private security jobs is contrasted with an increase of less than 1% in the number of police officers over the same period. The population of Canada grew by about 10% during this time. Accounting for population growth, there were fewer public police, but more private security and related personnel in Canada per capita in 2001 than in 1991.

The police reported crime rate in Canada over the period 1991 to 2001 decreased by more than 22%.[4] The drop in the crime rate is interesting when the number of police was virtually the same over this period compared to the strong growth in private security employment. The relationship between the growth of private security and the drop in the crime rate is an area worthy of future examination.

Provincial Level Growth

Provincial[5] growth rates (where data were available) in the security sector fluctuated somewhat from the national trend. Only in 1998 and 1999 were gains recorded in every province, though the general trend for each province was upwards over the study period. British Columbia experienced the greatest increase in security employees during the study period. Employment grew by 141% in British Columbia. Ontario had the next highest growth at 74%. Although Quebec experienced the slowest growth at 25%, this is still strong.

Concentration of security personnel varied. For provinces where data were available, variation in the number of private security personnel relative to the population exists. Nationally, the number of security and investigation services employees increased from 171 per 100,000 Canadians in 1991 to 263 in 2001. This represents a per capita increase of more than 50%.

Employment Profile

This section is primarily based on SEPH data supplemented with information from the LFS

[3] The industrial aggregate is defined as the sum of all industries included in SEPH.

[4] The 2001 crime rate has been adjusted from what was reported in Crime Statistics in Canada 2001 to reflect actual 2001 census population counts rather than the preliminary postcensal estimates used in the publication. The result is a higher crime rate for 2001: 8025 criminal code incidents per 100,00 population compared to a rate of 7747 used by the Canadian Centre for Justice Statistics.

[5] Data at the provincial level is available for six provinces accounting for 83% of jobs in the sector. The provinces are Newfoundland and Labrador, Quebec, Ontario, Manitoba, Saskatchewan, and British Columbia.

also conducted monthly by Statistics Canada. The LFS is a household-based survey compared to SEPH which is enterprise based. LFS is considered more useful by Statistics Canada for demographic information than SEPH, while SEPH is better suited to producing indicators of change over detailed industry group levels.

Employment by Gender

The security and investigation field employs a much higher percentage of men than women. Over the period 1991-2000, 20% of security employees were female according to LFS. The number of female employees has fluctuated during the study period; for example in 1994, a low of 16% were female, compared to a high of 23% in 1992.

Data from LFS indicates that work in the security industry is concentrated in full-time[6] employment. For the period 1991-2000, 83% of employees were classified as full-time. The percentage of full-time employees has ranged from a low of 78% in 1994 to a high of 86% in 1997. Women were more likely than men to fill part-time positions in the industry. Overall, for the period 1991-2000, women accounted for 20% of employees but 26% of part-time workers. In other words, a greater percentage of men than women held full-time jobs in the industry.

Earnings Growth

Average hourly earnings for security workers in Canada were 33% higher in 2001 than they were in 1991 as reported by SEPH. However, workers paid by the hour in 2001 averaged $11.08 in security jobs compared to the average rate of $16.79 for the economy as a whole.

Enterprise Level Estimates

Estimates of incorporated firms based on combined tax and administrative data sources compiled by Statistics Canada were also consulted to develop a picture of the security industry. Industrial Organization and Finance Division (IOFD) produced custom runs of this data for the years 1993 through 2000 for firms included in the NAICS Investigation and Security Services classification. This industry level data provides annual estimates of the number of incorporated firms, and the revenue and profits of the industry. The figures for 1993 to 1998 are not directly comparable to the figures obtained post-1998 due to changes in data collection and industry classification by Statistics Canada.

The annual estimates produced by IOFD suggest strong annual growth in the number of incorporated enterprises providing security and investigation services. In 2000, it is estimated that there were 2,629 incorporated security firms operating in Canada. This is 3% greater than the number of firms operating in 1999. Strong annual growth was also reported in the numbers of firms during the period 1993 through 1998. From 1993 to 1998 the number of firms in operation increased by more than 49%. Revenue growth has been very strong in the most recent years for which data are available; growth from 1999 to 2000 was 22%.

The security industry as a whole has, with the exception of 1996, recorded profits. Profits vary from year to year but from a general economic perspective are considered weak. For the year 2000, revenue was estimated at more than $2.7 billion with profits of more than $60 million. This suggests a profit margin of approximately 2.2% for the industry. Although this is generally considered a low margin, it is the highest margin recorded by the industry during the 1993 to 2000 period.

The chronically low profit margin suggests that this is a highly competitive and potentially volatile sector. These numbers suggest that some companies in the industry may be targets for mergers and take-overs. The volatility suggested by these numbers has been playing out in recent years.

[6] A designation of full-time employment is applied to all persons who usually work at least 30 hours a week at their main or sole job. Those who usually work less than 30 hours a week at their main or sole job are considered to be employed part-time. The designation is completely objective, with no allowance for self-classification (Statistics Canada, 2002).

There have been a number of consolidations within the industry, and multi-national companies are beginning to represent significant portions of the Canadian market.

Conclusions

Although this paper adds to knowledge about industry size, many research questions remain unanswered. Information on security employees is limited. How frequent is job turnover in this high growth industry? What levels of education and training do employees have? What sector of the industry is the largest or the fastest growing? This paper provides a starting point for measuring the size of the Canadian industry.

Effects of the growth in the Canadian security industry need to be examined. Is there a relationship between industry growth and declining levels of crime and public fear? How has the growth in security changed the way the public police do their job? One can expect that as it increases in size, the security industry will become subject to greater pressure for increased regulation. This may include training requirements or economic concerns such as foreign ownership or ownership concentration. The rise of the 'rent-a-cop' will, in all probability, not go unnoticed. ▲

CURRENT AND UPCOMING RESEARCH FROM THE RESEARCH AND STATISTICS DIVISION

GENETIC INFORMATION AND PRIVACY

Contact: Valerie Howe,
Senior Research Officer

In response to developments in the area of biotechnology and, in particular, the advent of predictive testing for genetic information, the federal government has established an Interdepartmental Working Group on Genetic Information and Privacy. This working group contributes to the overall federal government effort on biotechnology that is outlined in the Canadian Biotechnology Strategy. The Working Group is led and operated by the Department of Justice Canada. A research program has been developed by the Public Law Policy Group and is being managed by Valerie Howe, Senior Research Officer of the Research and Statistics Division. The policy research undertaken by the Department of Justice Canada for 2002-2003 included documenting both the domestic and international legal frameworks concerning privacy and human rights in order to consider the status of genetic information, its confidentiality, storage, and use. Additional policy research was conducted on the various issues that arise as a result of the increasing ability to access genetic information–including the ability of consumers to buy genetic testing kits directly on the market and the potential for third parties such as insurers or employers to request genetic information from those seeking services or a contract. In addition, the Genetic Futures Forum was organized which brought together a diverse group of experts in different areas to discuss possible future implications of the potential widespread accessibility of this highly sensitive form of information. Research reports will be prepared in the future, and we expect that they will be posted on the website of the Canadian Biotechnology Advisory Committee. ▲

PILOT STUDY: DEVELOPING A METHOD TO REVIEW CLOSED ORGANIZED CRIME CASES (Phase 1)

Contact: Damir Kukec,
Senior Statistician

The purpose of this first-time pilot study is to develop a method to undertake a larger file review (Phase 2) of organized crime cases closed prior to the enactment of Bill C-24 and dealt with by the Federal Prosecution Service. In the absence of an organized crime case data element on CASEVIEW (and RIMS), this research project is required to develop an operational definition, which will use existing data variables in CASEVIEW (and RIMS) to identify organized crime cases for further review and analysis. The pilot project will develop an operational definition of an organized crime case, pilot test the proposed operational definition and method by which the data will be collected in the field, analyse the results of the field test (i.e., assess the operational definition and method), and make recommendations concerning the possibility of undertaking the larger file review (Phase 2). We expect this phase to be completed by summer 2003. ▲

NATIONAL YOUTH JUSTICE RESEARCH ADVISORY WORKING GROUP

Contact: Jeff Latimer,
Senior Research Officer

Youth Justice Policy (YJP) within the Department of Justice Canada has the responsibility for the ongoing development and implementation of the Youth Justice Renewal Initiative. Effective implementation is very much dependent on the expertise, support, and collaboration of a wide range of individuals and sectors within both the federal government and the provinces and territories. In partnership with YJP, and in direct response to departmental priorities, the Research and Statistics Division has developed a youth justice research agenda in order to address gaps in our current knowledge base. In order to effectively implement the research agenda, RSD created an informal Federal/Provincial/Territorial Advisory Working Group (AWG).

The AWG was organized to achieve four main goals:

- inform jurisdictions of current and forthcoming research in the area of youth justice;
- develop a collaborative approach to youth justice related research;
- seek expertise and advice from the Advisory Working Group on research methods and data sources; and,
- acquire appropriate cooperation and authority to access data when necessary.

Over the course of this year, results from a number of youth justice research projects will be available from the Division. ▲

THE USE OF PRE-TRIAL DETENTION WITH YOUTH

Contact: Jeff Latimer,
Senior Research Officer

This study will provide previously unavailable information on the use of detention by police and the courts in large urban areas in five provinces with a focus on Toronto and Halifax. These sites are particularly appropriate for more intensive investigation of detention practices because of the relatively high detention rates in Ontario and relatively low rates in Nova Scotia. The objectives of this research are:

- to describe, in both quantitative and qualitative terms, the pre-trial detention experiences of

young persons who come into conflict with the law;

- to determine what factors affect pre-trial detention at arrest and detention by the court; and,
- to determine if pre-trial detention affects the sentences imposed by the youth court. ▲

A CRITICAL REVIEW OF RISK / NEED IN THE YOUTH CRIMINAL JUSTICE SYSTEM

Contact: Jeff Latimer,
Senior Research Officer

The general purpose of this project is:

- to review and critique the concepts of "risk" and "need" as they relate to assessments of youth within the Canadian criminal justice system;
- to identify existing risk/need assessment tools for youth used within each jurisdiction and to examine issues of validation; and,
- to discuss and make recommendations on the use of risk/need assessment at key-decision making points in the youth justice process within the context of the new *Youth Criminal Justice Act.*

This is being accomplished through an extensive literature review as well as interviews with key jurisdictional contacts with experience and/or expertise in the use of risk/need instruments in order to determine:

- the current usage levels of the risk/need instruments;
- at what stages of the criminal justice system they are being used;
- for what purposes? (i.e., to assist in what decisions?); and,
- if existing tools have been empirically validated and on what populations. ▲

LEGAL AID RESEARCH RELATED TO *IMMIGRATION AND REFUGEE LAW*

Contact: Austin Lawrence,
Research Analyst

Between 2001 and 2003, a joint federal-provincial-territorial program of research in legal aid was undertaken to examine the nature and extent of unmet need in criminal legal aid and to examine selected issues in the delivery of civil legal aid, in particular, legal aid for refugees and immigrants.

Three studies in the program of research addressed issues in immigration and refugee legal aid, with a focus on refugee claimants.

- "Immigration and Refugee Law Services in Canada," by Andrea Long, provides a descriptive profile of immigration and refugee legal aid services available in each of the provinces.
- "Immigration and Refugee Legal Aid Cost Drivers," by John Frecker, examines "cost drivers," factors that influence immigration and refugee legal aid expenditures.
- "A Study of Representation for Refugee Claimants and Immigrants," by John Frecker, examines the need for representation of refugee claimants at various stages of the immigration and refugee process.

It was found that legal services are available to most refugee claimants across Canada at the most important stages of the refugee determination process, those that relate to "life and liberty." However, there is significant variability in the form of the services offered between particular regions and great variability in the levels of service offered at other stages.

A second major finding is that legal aid plans have little control over many of the cost drivers that affect the demand for legal aid services to refugees. Legislative changes, the program and administrative policies of Citizenship and Immigration Canada (CIC) and the Immigration

and Refugee Board (IRB), and, especially, international migration trends all have a major effect on the annual cost of providing legal aid to refugee claimants. Costs have been predicted to rise over the next few years because of such factors as greater numbers of cases being processed per year, possible increases in certain kinds of appeals, and possible shifts in legal aid coverage changes or administrative requirements at the IRB or CIC.

A major issue is the type of assistance and representation that is required by refugee claimants and immigrants at various stages of the process. The research found that most refugee claimants require some assistance at all stages of the immigration and refugee determination process. However, assistance does not necessarily need to be full representation by a lawyer. The research suggests the need for a continuum-of-service approach when providing legal aid during the immigration and refugee process, which can include information packages, non-legal advice, and paralegal representation, depending on specific circumstances. There are many avenues for implementing innovative and flexible responses to unmet needs. Especially promising are the possibilities of linking legal aid with other service providers and involving community organizations in the provision of some legal aid.

A report synthesizing the findings of immigration and refugee legal aid research was published in the spring 2003, while the individual research reports will be available later in 2003. All published reports will be accessible in PDF format from http://canada.justice.gc.ca/en/ps/rs/rep/100-e.html ▲

VICTIMIZATION IN THE NORTH

Contact: Anna Paletta,
Principal Researcher

Between January 2001 and August 2002, the Policy Centre for Victim Issues and the Research and Statistics Division of the Department of Justice Canada, in cooperation with the territorial governments, undertook an extensive consultation process to determine the nature and extent of existing formal and informal victim services in the three territories, traditional Inuit approaches to victimization, and best practices for delivery of victim services in other remote, Aboriginal regions. The consultation was led by Mary Beth Levan of K'lemi Consultants, and its overall goal was to work with service providers, community caregivers, and other Northern community members to build a body of recommendations to advance the needed assistance for victims of crime in the North.

Drawing from the extensive knowledge and information generated from this project, a compilation of victim services was produced: *Victim Services in the Territories: A Compilation of Contacts and Resources*. This booklet provides a snapshot of the services that operate in the three Northern territories to address the information, referral, counselling needs of victims of crime. Northern researchers know that there are few uniquely dedicated services for victims in the North, and, as such, the services listed are not "victim services" and are not widely understood in the southern context. Rather, these are human or social services that can be accessed for victims as a "place to call" where no others exist. Mandates for many of these services are not victim-centred, but the reality of the Northern environment and the real dearth of victim services across most communities in the territories places a need on the service workers. These are the services that are highlighted and they are valuable as they illustrate, coupled with the larger report, a place to commence work on addressing the needs of victims of crime in the North.

The booklet provides a resource for victims of crime in identifying any available services and is intended as a resource to all those with a stake in issues and needs related to victims of crime. It is hoped that this booklet will accomplish two goals: highlight the important work that community members and governments have undertaken for victims of crime and provide a place to commence networks within and between territories and communities. These networks can provide a method for advancing victim service

delivery through peer support and linkages, research, sharing of experiences and best practices and challenges. It may also be used as one tool to assist service providers in identifying resources for victims outside their community. The information available includes names of organizations, addresses, e-mail addresses of contact persons, type of service offered, number of paid staff, and client groups.

Clearly, as the full report prepared by Ms. Levan on the state of victim services in the Northern territories indicates, there is much work to be done for victims in the North. We must be cautious as readers not to rely on this handbook in isolation as the "picture" of victim services in the North and assume from the number of services listed that there is an abundance of victim services in the Northern territories. In reality, they are few and far between, and much more work must be done. ▲

FIREARM STATISTICS, UPDATED TABLES

Contact: Kwing Hung, Ph.D.,
Statistical and Methodological Advisor

This is a collection of public statistics on firearm-related issues, which is updated annually. Part I contains statistics for Canada as a whole. It includes administrative data on firearms control, such as firearms registration certificates, firearms licences, firearms permits; import and export of firearms; firearm crimes such as homicides and robberies; firearm deaths and hospitalization. Part II contains selected firearm statistics for jurisdictions in Canada, including firearm crimes, firearm deaths and hospitalization. Part III contains two tables comparing firearm homicides and firearm robberies in Canada and in the United States.

Electronic copies of the report may be obtained upon request. ▲

LEGAL NEEDS OF WOMEN IN CRIMINAL AND OTHER LEGAL MATTERS

Contact: Tina Hattem,
Senior Research Officer

It is widely acknowledged that gender, race, and class influence individual experiences in the legal system. This research documents the issues impacting on the legal information, support, advice, and representation women need when they come into contact with the criminal justice system:

- as accused in criminal proceedings and restorative justice processes;
- as survivors of intimate violence, as third parties in sexual assault cases; and,
- as penitentiary inmates.

Further, it will make explicit the impact of diversity on the experiences of women by including immigrant, refugee and visible minority women, women in rural or isolated communities, and Aboriginal women. Finally, the research will examine the nature of actual or potential unmet needs and the recommendations outlined in the literature to address those needs. In addition to relying on a review of Canadian literature on the circumstances and justice experiences of women, the research findings are based on interviews with legal professionals and other service providers. ▲

JustReleased

Here is a list of reports recently released by the Research and Statistics Division of the Department of Justice Canada that may be of interest to you, all of which are available on our Internet site at: **http://canada.justice.gc.ca/en/ps/rs/rep/100-e.html**

A Series of Strategic Issues Papers
A series of Strategic Issues papers are now available. The papers deal with a range of topics from biotechnology to the Internet to support for children after separation or divorce. They were commissioned over the last couple of years by Valerie Howe, Senior Researcher of the Research and Statistics Division, for various purposes including an organized discussion among federal, provincial, and territorial Deputy Ministers of Justice and expert panel discussions.

Strolling Away
By Dr. Susan McIntyre
While there have been many studies of youth involvement in the sex trade, there have been very few studies of their getting away from it. Strolling Away is an attempt to address this gap. This report is based on interviews with 33 women and 5 men who entered the sex trade in their youth and who eventually succeeded in leaving it. Through their stories, the report explores the process of leaving and staying off the street and the types of services and support networks that were or would have been useful. The report sets the stage for further exploring the various paths followed by young women and men who sell sexual favours at some point in their lives and who eventually manage to leave this environment behind. However, there is still a lot to learn to fully portray the complexity of the issues.

A One-Day Snapshot of Aboriginal Youth in Custody Across Canada
By Steven Bittle, Nathalie Quann, Tina Hattem, and Danielle Muise
On May 10, 2000, the Research and Statistics Division co-coordinated the One-Day Snapshot of Aboriginal Youth in Custody Across Canada. The goal of the Snapshot was to determine the following:

- where Aboriginal youth lived prior to being charged or committing their offence;
- where they committed or allegedly committed their offence;
- where they plan to relocate upon release from custody; and,
- the number, age, and gender of Aboriginal youth in custody on Snapshot day and the nature of their charges or convictions.

The report includes data on all Aboriginal youth in provincial and territorial facilities (open, secure, and remand) on Snapshot Day.

CURRENT AND UPCOMING RESEARCH FROM AROUND GOVERNMENT

LAW COMMISSION OF CANADA

What is a Crime?

In March 2003, the Law Commission released its discussion paper on "What is a Crime?" In modern society, there are a variety of mechanisms and techniques to suggest, invite, or compel appropriate behaviour and, conversely, to discourage, deter, and punish behaviour considered detrimental. Why do we criminalize certain behaviours and not others? What are the legal, social, and cultural factors that influence the decision to criminalize or not criminalize unwanted behaviours? Have we come to rely too heavily on law to deal with unwanted behaviours? What does criminal law provide that is not available through other means or alternatives? The purpose of this discussion document is to encourage Canadians to discuss and debate these and other related questions. The Commission will explore opportunities to consult with Canadians on this important issue, as well as seek opportunities for research that furthers its work in this area.

Age Distinctions

The Law Commission of Canada is also preparing a discussion paper on age distinctions and relationships between the generations. The project focuses on two generations: older adults and children and youth. The paper will examine the age distinctions that affect these groups and evaluate the impact of laws and the administration of laws on the relationships between those generations. Age is often used as a distinguishing characteristic in Canadian laws and policies. Many benefits are awarded and obligations or restrictions imposed on the basis of age. Some of the distinctions are contained in the laws while others arise when the laws are put into practice. Examples would include access to certain income support programs, eligibility to vote, mandatory retirement, access to job training, employment protections, and cutbacks to health care. The Law Commission seeks a methodological approach that would examine distinctions based on age, whether benefits or burdens, and determine whether age is relevant to the objectives, whether other criteria would be more relevant, and how best to achieve the equality and dignity of all generations while promoting intergenerational relationships and respecting differences.

Work and Economic Security

The Commission has also undertaken a project on work and economic security that examines the impact of the law on the ability of Canadians to achieve economic security through work. The law plays a large role in determining what kinds of work are recognized, valued, and rewarded and, equally, what kinds are devalued, ignored, or prohibited. It plays a role in clarifying and providing a means to enforce the rights and obligations of workers and those for whom they work and in the redistribution of income.

On what basis does the law recognize and reward certain types of work or categories of workers, but not others? Are the distinctions fair and are they being made on the basis of legitimate policy goals? These and other related questions are currently being explored in two separate research projects. The first uses the lens of self-employment as a means of looking at how the law uses employment status to determine the personal scope of labour protection and social benefits. The second examines the ways in which the legal regulation of activities related to the sex and skin trades impacts upon the work done in those fields.

Legal Pluralism

The Commission is also interested in supporting research on institutions that reflect and support legal pluralism in Canada. What steps are necessary for fostering respect for different legal traditions? Are separate or new institutions needed that would support legal traditions such as those of Canada's First Nations peoples? How would we ensure that these institutions have a viable and authoritative place within the Canadian legal system? These questions and others are examples of the issues explored at the conference on governance held in April 2003 and hosted by the Assembly of First Nations and the Law Commission of Canada.

More information about these and other projects and events is available on the Commission's Website (www.lcc.gc.ca). ▲

CANADIAN CENTRE FOR JUSTICE STATISTICS, STATISTICS CANADA

"National Trends in Intimate Partner Homicides, 1974-2000" (*Juristat*, Vol. 22, No. 5)

- Spousal homicide rates for both women and men have declined between 1974 and 2000. During this time period, the homicide rate for women decreased by 62%, from 16.5 to 6.3 women per million couples, while the homicide rate for men dropped by more than half (55%), from 4.4 to 2.0 men per million couples. Homicide rates among other intimate partners also declined over this time period.

"Crime Statistics in Canada, 2001" (*Juristat*, Vol. 22, No. 6)

- After having decreased for the previous nine years, Canada's crime rate increased slightly (+1%) in 2001. About 55,000 more *Criminal Code* incidents were reported by police in 2001 as compared to 2000. The crime rate was about the same level as in 1979.

"Homicide in Canada, 2001" (*Juristat*, Vol. 22, No. 7)

- There were 554 homicides in Canada in 2001, 8 more than the previous year. The national homicide rate remained relatively stable for the third consecutive year at 1.78 homicides per 100,000 population. This rate has gradually been decreasing since the mid-1970s.

"Youth Custody and Community Services in Canada, 2000-01" (*Juristat*, Vol. 22, No. 8)

- The most common offences resulting in sentenced custody (open and secure) were related to property offences, accounting for 39% of admissions. Violent offences accounted for 27% and offences under the *Young Offenders Act* for 14%. In comparison, property offences accounted for 48% of probation admissions, while violent offences accounted for 32% of these admissions.

"Pilot Analysis of Recidivism Among Convicted Youth and Youth Adults, 1999-2000" (*Juristat*, Vol. 22, No. 9)

- In 1999-2000, 60% of the nearly 57,000 convicted offenders between 18 and 25 years of age had at least one previous conviction, either in adult criminal court or youth court. Among recidivists, 28% had one prior conviction and 72% had multiple prior convictions.

"Adult Correctional Services in Canada, 2000-01" (*Juristat*, Vol. 22, No. 10)

- Over the year 2000-01, a total of 235,000 adults were admitted to custody in the provincial/territorial and federal system, an increase of 3% from the previous year. Admissions to remand accounted for half of provincial/territorial custodial admissions, sentenced custody admissions for 36% and temporary detention (e.g., immigration hold) accounted for 11% of provincial/territorial custodial admissions. Admissions to federal custody accounted for 3% of total admissions.

"Motor Vehicle Theft in Canada, 2001" (*Juristat*, Vol. 23, No. 1)

The rate of motor vehicle thefts increased in 2001 (+5%) for the first time in five years and now stands 10% higher than a decade ago. ▲

CORRECTIONAL SERVICE CANADA

An Examination of Healing Lodges for Federal Offenders in Canada
Shelley Trevethan, Nicole Crutcher, and Christopher J. Rastin, Correctional Service Canada

The disproportionate involvement of Aboriginal persons in the criminal justice system has been recognized for some time. This paper examines one of the initiatives in place by Correctional Service Canada (CSC) to address Aboriginal over-representation–the establishment of healing lodges for offenders. Section 81 of the *Corrections and Conditional Release Act* allows Aboriginal communities to provide correctional services. Healing lodges are meant to aid Aboriginal offenders in their successful reintegration by using traditional healing methods.

The purpose of the report is to examine federal healing lodges currently in operation in Canada. This includes a physical description of healing lodges, a profile of those who have resided in healing lodges, and an examination of outcome. It also includes an examination of how staff in federal correctional institutions, staff in healing lodges, and residents view the healing lodge experience. Finally, the report discusses issues facing healing lodges.

Highlights:

- There is great variation among healing lodges: they differ in location, size, design, operation and programming. Facilities that were built specifically as section 81 healing lodges are more focused on Aboriginal traditions but do not maintain the structured approach of a CSC facility.
- From the time that the first healing lodge opened in 1995 until October 2001, 530 federal offenders have resided at healing lodges (excluding those on conditional release).
- Residents of healing lodges are not the "easiest cases." At intake, they tend to be higher risk and need and have lower reintegration potential than a comparison group of Aboriginal offenders in minimum security who were not transferred.
- Upon release, larger proportions of healing lodge residents than non-lodge offenders were re-admitted for new offences (19% versus 13%).
- Healing lodge residents reported overall satisfaction with their experience at the healing lodge. Some of the positive effects include: helping them better understand themselves; furthering their healing journey; exposure to Aboriginal culture and traditions; staff to whom they can relate and with whom they can communicate; more extensive access to Elders; and, help in reintegrating into the community.
- According to respondents, issues facing healing lodges include: lack of resources (strain on resources affects the way the lodge operates, in terms of buildings, staff, training, programming, technical infrastructure and community interaction); efficiency of transfer process; problems with the relationship between healing lodges and federal institutions (lack of communication between healing lodges and federal institutions has led to questions on the part of federal staff regarding the lodges' ability to manage offenders and a lack of understanding of each other's roles and responsibilities); and, lack of community involvement. ▲

First Nations, Métis, Inuit and Non-Aboriginal Federal Offenders: A Comparative Profile

John-Patrick Moore, Correctional Service Canada

Research suggests that the over-representation of First Nations, Métis and Inuit offenders can be understood through distinct profile characteristics. This project was based upon a one-day profile of First Nations, Métis, and Inuit offenders currently incarcerated in federal correctional facilities.

First Nations offenders in federal corrections can be characterized by previous involvement in the criminal justice system and violent criminal behaviour. Larger proportions of First Nations than non-Aboriginal offenders have received multiple past convictions (72% versus 62% have five or more previous adult convictions) and have been incarcerated for homicide offences (28% versus 24%) and serious assault (39% versus 26%). The seriousness of the offences for which First Nations offenders are incarcerated is reflected in the level of security under which they are classified. Significantly larger proportions of First Nations offenders are recommended for maximum levels of security at intake than Métis, Inuit, or non-Aboriginal offenders. First Nations offenders also present a multitude of needs for correctional administrators at the time of admission. Large proportions are rated as having "some" or "considerable" need in the areas of personal/emotional orientation (96%), substance abuse (94%), employment (70%), associates/social interaction (65%), and marital/family background (60%).

Similar to First Nations offenders, Métis offenders have had lengthy criminal experience during childhood and previously as adults. However, the offences for which Métis are currently incarcerated are more varied than with other offenders. Significantly greater proportions are incarcerated for robbery (40%) than any of the other groups (First Nations, 29%; Inuit, 8%; non-Aboriginal, 35%). Métis offenders are also more likely to be convicted of a drug offence (17%) than First Nations and Inuit offenders (11% and 6%, respectively). Larger proportions of Métis than non-Aboriginal offenders are incarcerated for break and enter (38% versus 31%). Métis offenders also have unique needs for institutional programming. Large proportions have "some" or "considerable" need in the areas of personal/emotional orientation (95%), substance abuse (91%), employment (71%) and associates/social interaction (70%).

The profile of Inuit offenders can best be reflected in their offending behaviour. The crimes for which Inuit are incarcerated are frequently of a sexual nature. Almost two-thirds (62%) are currently incarcerated for sex offences, which is substantially larger than First Nations (22%), Métis (16%), and non-Aboriginal (17%) offenders. The severity of these crimes is reflected in their assessed level of risk. While Aboriginal offenders, in general, are rated as greater risk to re-offend than non-Aboriginal offenders, larger proportions of Inuit offenders are classified as high risk to re-offend (85%) at intake than First Nations (73%), Métis, (68%), and non-Aboriginal (57%) offenders. Findings also highlight that Inuit offenders have greater need overall for intervention (89%) than other groups (First Nations, 78%; Métis, 73%; non-Aboriginal, 62%). Large proportions were rated as having "some" or "considerable" need in the areas of personal/emotional orientation (99%), substance abuse (92%) and marital/family (73%) background. ▲

The Needs of Métis Offenders in Federal Correctional Facilities in British Columbia

Shelley Trevethan, John-Patrick Moore, Correctional Service Canada, and Matt Thorpe, Karma and Associates

Because of their over-representation within the correctional system and differences between First Nations and Métis offenders, Métis offenders may require different interventions. It is necessary to examine what programs and services are in place, and what Métis offenders require for successful reintegration. In part-

nership with Métis National Council and Métis Provincial Council of British Columbia, the Research Branch examined the needs of Métis offenders in British Columbia. Interviews were conducted with 64 Métis offenders incarcerated in federal correctional facilities in British Columbia and 17 family members. Focus groups were also conducted with staff in 8 federal correctional facilities.

Highlights:

- Although Métis offenders have similar demographic and criminal profiles as First Nations offenders, differences in other characteristics (e.g., urban home, culture) indicate a need for different intervention styles for Métis.
- Métis offenders have their diverse criminogenic needs addressed by correctional programming. For instance, 80% of Métis offenders rated as having "some" or "considerable" need in substance abuse participated in substance abuse programs. Although correctional programs target the criminogenic needs of Métis offenders, offenders may not respond fully to the programs unless they are given in an appropriate cultural context and in a way that is meaningful to their lives.
- Of the Métis offenders interviewed, 57% reported having different needs than non-Aboriginal offenders. However, only 27% reported different needs from First Nations offenders. The differences are not in the area of criminogenic needs, but best refer to responsivity needs, in particular cultural/spiritual aspects.
- It was noted that, in order to increase responsivity, programs need to be facilitated by Métis staff and provide a Métis-specific cultural context.
- At the time of release, respondents indicated the need for similar types of services as First Nations and non-Aboriginal offenders (e.g., employment, housing, community support). However, they noted that these services need to be provided by Métis organizations, who can relate to Métis offenders.
- The needs of family members of Métis offenders are similar to those of family members of all offenders. However, to make the services most effective, providing them in the appropriate cultural setting is important.
- Based on focus groups with federal institutional staff, it appears that staff have little knowledge of Métis culture or training in the area. Information sessions for staff on Métis culture could aid in a better understanding of differences between Métis and First Nations offenders. ▲

A Profile of Federal Offenders Designated as Dangerous Offenders or Serving Long-Term Supervision Orders
Shelley Trevethan, Nicole Crutcher, and John-Patrick Moore, Correctional Service Canada

In 1997, the government passed Bill C-55, amending the *Criminal Code of Canada* with regards to dangerous offenders (DOs). The majority of the amendments regarding DOs were procedurally based; however, a new section was added that allowed judges to impose long-term supervision orders (LTSO) for a period of up to 10 years after the custodial sentence was served. This research project examined offenders designated as DOs and LTSOs. In addition, a comparison of the profiles of dangerous offenders classified prior to Bill C-55 and those classified under the new provisions in Bill C-55 was undertaken.

Since January 1994, there have been a total of 274 offenders admitted to federal custody under the DO or LTSO designation. Of these, 179 were DOs and 95 were sentenced to an LTSO. The number of DOs designated each year has remained relatively constant; however, the number of LTSOs has increased each year since the enactment. The Quebec and Prairie regions have larger proportions of LTSOs than DOs, while the Ontario and Pacific regions have larger proportions of

DOs than LTSOs. The Atlantic region had similar proportions of DOs and LTSOs.

As expected, DOs had a greater number of previous adult convictions than LTSOs and were considered higher risk to re-offend. Furthermore, DOs were classified as maximum security more often than LTSOs.

DOs and LTSOs did not differ substantially in the type of offence for which they were incarcerated. The majority of both groups had a current and previous sexual offence. Unlike the general inmate population, where only a small percentage of offenders victimize children, elderly, or handicapped, large proportions of DOs and LTSOs had victimized children. In comparison to LTSOs, DOs had significantly more female youth and female adult victims. As expected, DOs caused more injury, both physically and psychologically to their victims and were more likely to use a weapon or threaten than LTSOs.

When examining the needs of these offenders, almost all DOs and LTSOs were rated as having higher overall need. However, with respect to the separate need domains, DOs were rated as having higher need in the areas of employment, associates/social interaction, substance abuse, community functioning, and attitude.

The examination of DOs prior to, and following enactment of, the legislation revealed expected results. There were very few significant differences between the pre- and post-groups. The major difference indicated that the pre-DO group had, on the whole, greater needs than the post-DO group.

For more information or to obtain a copy of reports or publications, contact the Research Information Centre of Correctional Service Canada by telephone at (613) 995-3975, by fax at (613) 941-8477 or by email at reslib@magi.com. You can also access research publications via the Correctional Service of Canada website at http://www.csc-scc.gc.ca. ▲

CONTACT US

Research and Statistics Division
Department of Justice Canada
284 Wellington Street
Ottawa, Ontario K1A 0H8
Fax: (613) 941-1845

Intranet Site (within Justice):
http://jusnet.justice.gc.ca/rsd_e/default.htm

Internet Site:
http://canada.justice.gc.ca/en/ps/rs/index.html